

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
3:22-MD-03036-KDB**

**IN RE: GARDASIL PRODUCTS LIABILITY
LITIGATION**

MDL No. 3036

**THIS DOCUMENT RELATES TO
ALL CASES**

ORDER

THIS MATTER is before the Court in response to the Parties’ respective letters to the Court dated April 8, 2025, regarding the future course of this litigation. (Doc. Nos. 307-308). On March 11, 2025, the Court granted Defendants’ Motion for Summary Judgment based on Implied Preemption as to the Bellwether Plaintiffs and further held that ruling would “be applied to Plaintiffs in the MDL other than the Bellwether Plaintiffs in accordance with the prior orders of the Court and/or the agreement of the Parties.” (Doc. No. 305 at 35). The Parties’ letters reflect their agreement that 1) final judgments against the sixteen POTS and POI cases resolved at Summary Judgment should be promptly entered and 2) Plaintiffs’ Counsel will identify the additional Plaintiffs who allege POTS or POI injuries by April 15, 2025, and the Parties will stipulate on or before April 22, 2025, that final judgment should be entered against those Plaintiffs.

The Parties, however, disagree with respect to the next steps in adjudicating the claims of Plaintiffs who allege injuries other than POTS or POI. The Court will deny Plaintiffs’ request for a stay of the litigation pending their appeal of the Court’s Summary Judgment ruling. In the exercise of its discretion to manage this MDL, the Court finds that it is in the best interest of expeditiously resolving these disputes (which Plaintiffs’ counsel urges as a primary consideration

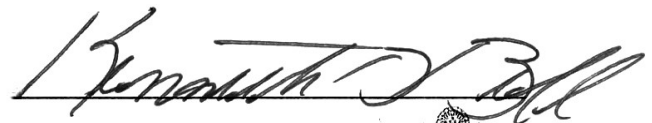
in other contexts) most efficiently that the litigation not be stayed as to these additional Plaintiffs. The Parties have also suggested somewhat different case management schedules for Plaintiffs to identify which cases they intend to pursue in light of the summary judgment ruling and then conduct expert discovery and file dispositive motions. To resolve those issues, the Court will hold a case management conference on April 17, 2025, unless the Parties are able to reach agreement on a proposed schedule.

NOW THEREFORE IT IS ORDERED THAT:

1. Final Judgment shall be entered against the Bellwether Plaintiffs identified in the Court's March 11, 2025, Order granting Summary Judgment, Doc. No. 305;
2. Plaintiffs' Counsel are directed to identify to Defendants the additional Plaintiffs who allege POTS or POI injuries by April 15, 2025;
3. On or before April 22, 2025, the Parties shall file a stipulation related to the final disposition of the claims of the identified additional Plaintiffs;
4. Plaintiffs' request for a stay pending appeal is DENIED in the exercise of the Court's discretion; and
5. A case management conference shall be held in this matter on April 17, 2025, at 2:00 p.m. in Courtroom #4B, 401 W Trade St, Charlotte, NC 28202, unless the Parties agree on a proposed future case management schedule (in which case the Court should be notified and the proposed schedule filed in advance of that date).

SO ORDERED ADJUDGED AND DECREED.

Signed: April 9, 2025



Kenneth D. Bell
United States District Judge

